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ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/8/07

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Borge et al,

Plaintiff,

- against -

City of New York et al,

Defendant(s).

SCHEDULING ORDER

07 Civ. 401 (SAS)

Conference Date:

July 20, 2007

August 7, 2007

WHEREAS, the Court issued an Order for a Conference in accordance with Fed. R. Civ. P. 16(b) on (the "Order"); and

WHEREAS, the Order requires that the parties jointly prepare and sign a proposed scheduling order containing certain information;

NOW, THEREFORE, the parties hereby submit the following information as required by the Order:

- (1) the date of the conference and the appearances for the parties; *August 7, 2007*
for Plaintiffs: *Ronald Kuby, David Pressman*
for Defendants *City & Vega*: *Hilary Frommer*
- (2) a concise statement of the issues as they then appear; *Plaintiffs claim that their premises were unlawfully searched and their property unlawfully seized. Plaintiff West claims he was falsely arrested. Defendants deny the allegations.*
- (3) a schedule including:

(a) the names of persons to be deposed and a schedule of planned depositions;

Detective Villanueva, ADA Robert Ferrari, Lt. Dan Albano, Richard West

(b) a schedule for the production of documents;

By *September 7, 2007*

(c) dates by which (i) each expert's reports will be supplied to the adverse side and (ii) each expert's deposition will be completed; *n/a*

(d) time when discovery is to be completed;

November 30, 2007

Judge Ellen Coin
Completed by November 30, 2007

(e) the date by which plaintiff will supply its pre-trial order matters to defendant;

January 30, 2008 Dec. 31, 2007

(f) the date by which the parties will submit a pre-trial order in a form conforming with the Court's instructions together with trial briefs and either (1) proposed findings of fact and conclusions of law for a non-jury trial, or (2) proposed voir dire questions and proposed jury instructions, for a jury trial; and

February 21, 2008 JAN. 18, 2008

(g) a space for the date for a final pre-trial conference pursuant to Fed. R. Civ. P. 16(d), to be filled in by the Court at the conference.

Dec. 12 at 4:30

(leave blank)

(4) a statement of any limitations to be placed on discovery, including any protective or confidentiality orders; Reduction of CI name, identifying details.

(5) a statement of those discovery issues, if any, on which counsel, after a good faith effort, were unable to reach an agreement; n/a

(6) anticipated fields of expert testimony, if any; n/a

(7) anticipated length of trial and whether to court or jury;

Two days, jury

(8) a statement that the Scheduling Order may be altered or amended only on a showing of good cause not foreseeable at the time of the conference of when justice so requires;

Agreed

(9) names, addresses, phone numbers and signatures of counsel;

Ronald L. Katz/David Pressman 119 W. 23rd Street, Suite 900, NYC 10011
Hillary Frommer, NYC Law Dept. 100 Church St. NYC 10002
(212) 788-0823

SO ORDERED:

SHIRA A. SCHEINDLIN
U.S.D.J.

8/7/07